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FOR THE AMBASSADOR FROM TODMAN

E.O. 11652: GDS

TAGS: SHUM

SUBJECT: PREPARING AND IMPLEMENTING HUMAN RIGHTS EVALUATION REPORTS

REF: STATE 140421

1. IN PREPARING AND IMPLEMENTING THE HUMAN RIGHTS EVALUATION REPORTS, I URGE MAJOR EMPHASIS ON A CONSTRUCTIVE, RATHER THAN PUNITIVE, APPROACH TO MAIN OBJECTIVE: IMPROVE HUMAN RIGHTS SITUATION WITHOUT UNDUE DAMAGE TO OTHER KEY U.S. INTERESTS (E.G., NATIONAL SECURITY). I THINK THERE SHOULD BE NO DOUBT THAT USG CAN INFLUENCE LATIN AMERICAN HUMAN RIGHTS PERFORMANCE. WE ALREADY HAVE TO SOME

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EXTENT. BUT WE SHOULD ALSO KEEP IN MIND THAT SIGNIFICANT PROGRESS CAN BE ACHIEVED ONLY BY SUSTAINED COMMITMENT OVER THE LONG HAUL, WITHOUT EXPECTATION OF QUICK, EASY SUCCESS OR DISCOURAGEMENT OVER INEVITABLE FAILURE. CLEARLY HUMAN RIGHTS PROBLEMS ARE TOO COMPLEX AND VOLATILE FOR PERCISE GAME PLANS AND TIMETABLES. FLEXIBILITY AND REALISM ARE ESSENTIAL.

2. FOLLOWING ARE SOME GOALS WHICH ARA WILL BE SEEKING TO ACHIEVE HEJE. YOUR COMMENTS AND RECOMMENDATIONS ARE INVITED, EITHER NOW OR WHEN RESPONDING TO EVALUATION REPORT DRAFTS PREPARED HERE.

A. A MORE GENEROUS AND EFFECTIVE USG RESPONSE TO LATIN AMERICAN NEEDS FOR INCREASED AID AND TRADE BENEFITS. AS I SAID DURING MY MARCH 22 CONFIRMATION HEARING: 'EVERYTHING ELSE BEING EQUAL, HUMAN RIGHTS HAVE A BETTER CHANCE TO FLOURISH IN A SOCIETY WHICH IS MAKING SIGNIFICANT

ECONOMIC PROGRESS THAN IN ONE AFFLICTED BY WIDE-SPREAD UNEMPLOYMENT, POVERTY, DISEASE AND ECONOMIC STAGNATION. THIS MEANS THAT IF WE REALLY CARE ABOUT HUMAN RIGHTS IN LATIN AMERICA WE MUST BE READY TO GO

Department of State, A/GIS/IPS/SRP

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BEYOND ADVICE AND EXHORTATION AND BE WILLING TO PROVIDE LATIN AMERICA WITH THE KIND OF RESOURCE TRANSFERS WHICH WILL AFFORD AN OPPORTUNITY FOR THE KIND OF ECONOMIC, SOCIAL AND POLITICAL DEVELOPMENT I HAVE JUST DISCUSSED. THIS IS A KEY ISSUE AND IT WILL NOT GO AWAY."

B. TO THE EXTENT POSSIBLE (E.G., WITH ALL APPROPRIATE ALLOWANCES FOR SECURITY CONSIDERATIONS), A USG APPROACH TO HUMAN RIGHTS VIOLATIONS AROUND THE WORLD WHICH IS CONSISTENT AND EVEN-HANDED WITHOUT UNDUE EMPHASIS ON ONE OR CONFIDENTIAL

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ANOTHER REGION. ADMITTEDLY, U.S. SECURITY INTERESTS ARE GREATER IN SOME OTHER AREAS OF THE WORLD THAN IN LATIN AMERICA. BUT IT IS SOMETIMES ARGUED THAT WE SHOULD PUSH HARDER IN LATIN AMERICA, AS OUR "SPHERE OF INFLUENCE." I AM CONVINCED THAT SUCH A STRATEGY AND DOUBLE STANDARD WOULD BE COUNTERPRODUCTIVE IN THIS HEMISPHERE.

C. A LATIN AMERICAN HUMAN RIGHTS POLICY WHICH IS COORDINATED AND SUPPORTED THROUGHOUT THE DEPARTMENT AND OTHER BRANCHES OF THE USG, INCLUDING DEFENSE, CIA, USIA, TREASURY, LABOR, ETC.

D. A USG POLICY AS RESPONSIVE AS POSSIBLE TO INDIVIDUAL GOVERNMENT PERFORMANCE (E.G., WHEN A REGIME WITH A POOR HUMAN RIGHTS RECORD IMPROVES ITS PERFORMANCE SIGNIFICANTLY WE SHOULD RESPOND WITH DEEDS AND WORDS).

E. A FORTHRIGHT, COOPERATIVE DEPARTMENT RELATIONSHIP WITH CONGRESS ON LATIN AMERICAN HUMAN RIGHTS ISSUES, WITH A MINIMUM OF BUREAU "CLIENTISM." A MAJOR EFFORT TO PERSUADE CONGRESS TO PURSUE THE COURSE WE BELIEVE MOST LIKELY TO RESULT IN IMPROVED LATIN AMERICAN HUMAN RIGHTS SITUATION.

F. PRESENTATION OF USG VIEWS, BOTH PUBLICLY AND IN PRIVATE REPRESENTATIONS TO LATIN AMERICAN GOVERNMENTS, WITH TACT, MODESTY AND UNDERSTANDING OF THE COMPLEXITY OF HUMAN RIGHTS PROBLEMS, AND WITHOUT ANYTHING SMACKING OF PATERNALISM OR CONDESCENSION.

G. DISCUSSION OF HUMAN RIGHTS ISSUES, WHENEVER APPROPRIATE, IN DEPARTMENTAL CONVERSATIONS AND MEETINGS WITH VISITING HIGH-RANKING LATIN AMERICAN OFFICIALS, INCLUDING MILITARY GROUPS, SO AS TO REINFORCE OUR CONCERNS VOICED IN THE FIELD. TIMELY REPORTING TO THE FIELD OF ALL RELEVANT HUMAN RIGHTS CONVERSATIONS, INCLUDING THOSE

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WITH LATIN AMERICAN EMBASSIES.

H. INCREASED DEPARTMENT CONSULTATION AND COOPERATION WITH LATIN AMERICAN AND EUROPEAN GOVERNMENTS WHICH SHARE OUR INTEREST IN LATIN AMERICAN HUMAN RIGHTS ISSUES. WE HOPE FOR REGULAR CONSULTATION WITH VATICAN.

I. USG SUPPORT "OR STRENGTHENING THE IAHRG.

J. MORE EFFECTIVE DEPARTMENT CONTACT AND COOPERATION WITH HUMAN RIGHTS GROUPS IN U.S. ACADEMIC AND RELIGIOUS COMMUNITIES, AS WELL AS WITH INTERNATIONAL ORGANIZATIONS SUCH AS AMNESTY INTERNATIONAL, THE ICJ, ETC.

K. IN THE PREPARATION OF AID PROGRAMS, CAREFUL CONSIDERATION OF WAYS TO HELP THE RURAL AND URBAN POOR TO GAIN ACCESS TO RIGHTS AND PROTECTIONS PROVIDED BY LAW, TO STIMULATE GREATER PARTICIPATION BY THE POOR IN DECISION MAKING, ETC.

L. A REVIEW OF USIA AND VOA LATIN AMERICAN PROGRAMS, TO INCREASE THEIR EFFECTIVENESS IN ACHIEVING HUMAN RIGHTS OBJECTIVES.

3. THE FOLLOWING ARE RECOMMENDED AS SOME IMPORTANT OBJECTIVES IN THE FIELD:

A. ALL BRANCHES OF EMBASSIES AND CONSULATES SHOULD HAVE CLEAR UNDERSTANDING OF USG HUMAN RIGHTS POSITION. DEFENSE ATTACHES, STATION CHIEFS, CONSULS, ETC., SHOULD CONVEY CONSISTENT VIEWS TO THEIR COUNTERRPARTS. SUCH VIEWS SHOULD BE REPRESENTED AS THOSE OF USG, NOT REPEAT NOT JUST OF WHITE HOUSE. COREERS, STATE DEPT. STAFF, FIELD QUESTIONS AND MISGIVINGS REGARDING USG HUMAN RIGHTS POLICY SHOULD BE RAISED CANDIDLY WITH WASHINGTON.

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**CONCLUSIONS**

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P. POSTS SHOULD SEEK TO PROVIDE AS ACCURATE AND PROMPT COVERAGE AS POSSIBLE OF HUMAN RIGHTS DEVELOPMENTS. IN SOME CASES IMPROVED REPORTING WILL BE OF INDIRECT BENEFIT TO HOST GOVERNMENTS, FOR EXAMPLE IN HELPING TO DISCREDIT RUMORS OR ALLEGATIONS OF VIOLATIONS.

C. EMBASSIES SHOULD MAKE AN EFFORT TO KEEP HOST GOVERNMENTS AWARE OF THE IMPORTANCE OF PERMITTING, INDEED ENCOURAGING, VISITS BY REPUTABLE HUMAN RIGHTS REPRESENTATIVES AND ORGANIZATIONS (E.G., IAHR, AMNESTY INTERNATIONAL, THE ICJ, THE RED CROSS, ETC.)

D. POSTS SHOULD MAKE DETERMINED EFFORTS TO DEVELOP AND REPORT EXTENSIVE CONTACT WITH LOCAL HUMAN RIGHTS ADVOCATES, AND INFLUENTIAL AND ACTIVE HUMAN RIGHTS GROUPS AND INSTITUTIONS (E.G., RELIGIOUS ORDERS, LAWYERS ASSOCIATIONS, LABOR UNIONS). THESE SHOULD INCLUDE LOCAL U.S. CITIZENS, AND PARTICULARLY U.S. RELIGIOUS PERSONNEL. POSTS SHOULD SUGGEST NAMES OF HUMAN RIGHTS ADVOCATES SUITABLE FOR INVITATION TO THE U.S.

E. ALL POSTS SHOULD CONSIDER APPROPRIATE WAYS IN WHICH USG MIGHT OVERTLY ASSIST, DIRECTLY OR INDIRECTLY, LOCAL HUMAN RIGHTS ADVOCATES AND GROUPS. IN ADDITION TO INVITATIONS TO THE U.S., THIS MIGHT INCLUDE PUBLIC RECOGNITION FOR SPECIFIC ACHIEVEMENTS, ASSISTANCE OR ADVICE IN DEVELOPING GRASS ROOTS PROGRAMS SUCH AS FREE LEGAL SERVICE FOR THE POOR, ETC.

F. POSTS SHOULD SEEK TO ENSURE THAT LOCAL U.S. BUSINESS CIRCLES ARE KEPT INFORMED OF USC HUMAN RIGHTS CONCERNS, EVEN THOUGH SUCH CIRCLES MAY NOT SHARE THOSE VIEWS. SOME MEMBERS OF LOCAL U.S. BUSINESS COMMUNITIES REVEAL A TENDENCY TO IDENTIFY WITH HOST GOVERNMENTS AND TO SUPPORT, AT LEAST TACITLY, HUMAN RIGHTS VIOLATIONS.

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G. POSTS SHOULD KEEP DEPARTMENT SUPPLIED WITH NAMES OF LOCAL NATIONALS WHO HAVE REPORTEDLY SUFFERED SIG-

NIFICANT HUMAN RIGHTS VIOLATIONS. SOME POSTS HAVE NOT SENT LISTS OF RELEASED OR ARRESTED PERSONS IF NAMES OF THE LATTER ARE NOT OTHERWISE KNOWN TO EMBASSY. THE NAMES MAY MEAN NOTHING TO EITHER EMBASSY OR DEPARTMENT BUT WE ARE RECEIVING NUMEROUS INQUIRIES FROM CONGRESS, AMNESTY INTERNATIONAL, AND OTHER HUMAN RIGHTS GROUPS ABOUT SUCH LISTS. WE WISH TO BE AS FORTHCOMING AS POSSIBLE TO SUCH INQUIRIES.

H. POSTS SHOULD KEEP ARA DESKS SUPPLIED WITH UP-TO-DATE HUMAN RIGHTS LAWS, CONSTITUTIONS, ETC., WITH EXPLANATIONS AND INTERPRETATIONS FROM THE LOCAL COMMUNITY WHENEVER POSSIBLE.

I. ALL POSTS SHOULD MAINTAIN A CURRENT FILE OF ALL SIGNIFICANT HUMAN RIGHTS INFORMATION, REPORTS, ETC., REGARDING HOST COUNTRY. ARA DESKS ARE BEING ASKED TO

ENSURE THAT EMBASSIES ARE SUPPLIED WITH RELEVANT INFORMATION (PRESS ARTICLES, CONGRESSIONAL HEARINGS, REPORTS, ETC.) WHICH BECOME AVAILABLE HERE.

4. IF ONLY BECAUSE OF URGENT PRESS OF BUSINESS HERE AND IN THE FIELD, I URGE THAT WORK DUPLICATION AND OTHER UNNECESSARY LOSS OF TIME AND EFFORT BE AVOIDED WHENEVER POSSIBLE IN RESPONDING TO THE DEPARTMENT'S HUMAN RIGHTS REPORTING REQUESTS. SOME POSTS HAVE ALREADY PROVIDED EXTENSIVE RELEVANT INFORMATION AND ANALYSIS. RATHER THAN REPEAT SUCH REPORTING IT IS SUFFICIENT MERELY TO REFER TO THE RELEVANT MESSAGES. VANCE

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